

CRM-M-41930-2018

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Date of Decision: 23.10.2018

Jatinder Singh @ Rinku

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Gurmeet Singh Saini, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.166 dated 30.07.2018, registered at Police Station City Moga, District Moga, under Sections 420 and 506 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that as per the allegations in the FIR, the petitioner alongwith co-accused received ₹2 lakhs from the complainant for

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sending him to Malaysia on work permit visa, but they sent him on tourist visa.

Learned counsel for the petitioner submits that earlier another FIR was registered against the petitioner, but during inquiry, he was found innocent and one Rajwinder Singh @ Raja, who is cousin of the complainant was found involved in that case and due to this enmity, this false case has been got registered.

In pursuance of the interim order dated 24.09.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 24.09.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

23.10.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No